

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: PACKAGED ICE ANTITRUST
LITIGATION

THIS DOCUMENT RELATES TO:
ALL INDIRECT PURCHASER ACTIONS

Civil Action No.: 2:08-MD-1952-PDB

STIPULATION

STIPULATION OF THE PARTIES REGARDING SCHEDULING

IT IS HEREBY STIPULATED AND AGREED by, and among, the parties for the undersigned counsel as follows:

1. Defendants shall not be required to answer the existing Second Amended Class Action Complaint.

2. The Indirect Purchaser Plaintiffs shall file the annexed Consolidated Class Action Complaint (the "New Complaint") promptly after execution of this stipulation. Defendants reserve the right to challenge the New Complaint on any and all grounds.

3. Defendants shall answer, move or otherwise respond to the New Complaint within 30 days after the Indirect Purchaser Plaintiffs file the New Complaint.

4. Defendants shall not seek an extension of time to respond to the New Complaint, absent extraordinary circumstances.

5. In the event that Defendants make a motion directed at the New Complaint, Plaintiffs shall have ²¹30 days to file any response.

6. Defendants shall thereafter have ¹⁴21 days to file any replies to Plaintiffs' response.

7. ~~Plaintiffs may serve written discovery before defendants file a response to the New Complaint. Defendants may object to such discovery on any and all grounds including, but~~

not limited to, that such discovery is premature. Defendants shall not, however, make a prematurity objection to discovery that exclusively relates to (1) claims that survived defendants' motions to dismiss or (2) claims that defendants do not move to dismiss in response to the New Complaint. Defendants shall comply with all discovery requests to which they have not objected.

SO ORDERED.

Dated: 5-26-11


THE HONORABLE PAUL D. BORMAN

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